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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/458,319	12/10/1999	AIDAN JAMES SMYTH	60136.0087USU1	8719
94140	7590	08/16/2010		
Merchant & Gould - Cox PO Box 2903 Minneapolis, MN 55402			EXAMINER RAMAN, USHA	
			ART UNIT 2424	PAPER NUMBER
			MAIL DATE 08/16/2010	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Arguments

1. Applicant's arguments filed June 28, 2010 have been fully considered but they are not persuasive.

Applicant argues (see Remarks, page 3) that, "Day fails to disclose, teach or suggest a playlist defining content streams is created or modified by the subscriber" because (see Remarks, page 3), "the 'playlist' of Day is different from the playlist recited in claim 8 and Day discloses that the playlist is created automatically by the control server 211...fails to disclose, teach or suggest a playlist defining a plurality of content streams is created by a subscriber". Examiner respectfully disagrees with applicant's position. Applicant's disclosure (see Specification, page 11, lines 13-14) discloses that, session manager maintains a playlist for each subscriber, wherein the playlist is created by the session manager (see Specification, page 11, lines 20-23) in response to a user submitting content requests (see Specification, page 14, lines 14-19). Accordingly applicant's specification is consistent with the method of the system creating a playlist automatically, in response to receiving user requests. Similarly, Day discloses that the subscriber submits content requests (col. 5, lines 7-10, col. 6, lines 14-28) from which a playlist is created and maintained. Additionally, the concept of playlist modification is not unique to applicant's disclosure as evidenced by Katinisky, who discloses modifying playlist to allow a subscriber to add/delete contents (col. 2, lines 55-57, col. 5, lines 19-22) from the playlist

Applicant argues (see Remarks, page 4) that, "the file exporter, taken in isolation, would most closely be analogous to the session manager 145, not the

server controller 108". Examiner respectfully disagrees. The file exporter of Chowdhury coordinates the transfer of file from memory to the respective video decoder for delivery and as such is analogous to server controller rather than the session manager. As such the modified system comprises the step of transmitting a termination notification message from the session controller (i.e. the data pump-controller portion coordinating the transfer of video data to respective video decoder) to the session manager (i.e. presentation formatter-controller portion maintaining the session with the subscriber).

For at least the reasons stated above, the rejection is maintained.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to USHA RAMAN whose telephone number is (571)272-7380. The examiner can normally be reached on Mon-Fri: 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2424

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/Christopher Kelley/
Supervisory Patent Examiner, Art
Unit 2424

/Usha Raman/